The Central Bureau of Investigation (CBI) derives its police powers from the Delhi Special Police Establishment (DSPE) Act, 1946 to investigate offences or classes of offences pertaining to corruption, economic offences and special crimes involving public servants and others and is governed by the IPC, Cr. P.C. Indian Evidence Act, and other laws of the country while discharging its duty. It is accountable to the judiciary and does not function in a selective manner or discriminate between various classes of people while enforcing the rule of law. The comprehensive legislation and statutory provisions under various laws of the country such as Indian Penal Code, Criminal Procedure Code, FERA, Banking Regulations Act and the Prevention of Corruption Act, 1988 have sufficient and stringent provisions to punish those who are found guilty. With a view to eradicate corruption from public life, the Prevention of Corruption Act was originally enacted in 1947. This Act has further been strengthened by the re-enactment of Prevention of Corruption Act, 1988, which is more comprehensive. It is, therefore, not correct to say that the anti-corruption laws in the country are outdated. The Act is applicable equally to all the public functionaries irrespective of their position, which is evidence from the various important public functionaries recently charge-sheeted by the CBI in the Courts of Law. A large number of cases being referred to the CBI for investigation by the State Governments High Courts and the Supreme Court of India is clearly demonstrative of the faith in the quality of investigation by the CBI.

Permission to CBI for SLP in Hawala Case

1806. SHRI NILOTPAL BASU: Will the PRIME MINISTER be pleased to state:

(a) whether it is fact that the CBI has requested Government for granting permission to file Special Leave Petition in the Supreme Court, against the order of the High Court in Hawala case;

(b) if so, Government's response and if it is positive, when the petition is going to be filed; and

(c) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S.R. BALASUBRAMONIYAN): (a) Yes, Sir.

(b) and (c) SLP has been filed on 18.6.1997.

Sanction for prosecution by CBI

1807. SHRI AMAR SINGH: Will the PRIME MINISTER be pleased to state:

(a) what are the names of the persons against whom sanction for prosecution sought by the CBI is still pending and since when;

(b) what are the reasons for not granting permission in each case; and

(c) by when the sanction is proposed to be accorded?

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S.R. BALASUBRAMONIYAN): (a) to (c) As per information funrished by the CBI, as on 30.6.97, a total of 149 cases of sanction for prosecution in respect of various persons were pending with the concerned Ministries/Departments of the Government of India and the State Governments etc. from the respective dates of reference made by the CBI.

Sanction of the competent authroity under Section 197 of the Criminal Procedure Code, 1973 and Section 19 of the Prevention of Corruption Act, 1988 is pre-requisite to prosecute a public servant in a Court of Law. The responsibility for maintaining purity and integrity in his organisation vests with the Secretary/ Head of the Department of a Ministry/

Department/Organisation who, according to the prescribed procedure, processes the requests of CBI for according sanction for prosecution on the merits of each case in consultation with the Central Vigilance Commission and other authorities concerned. Therefore, in such cases, no time farme can be indicated.

सांसदों का सेवाकाल समाप्त होने के बाद "संसद सदस्य स्थानीय क्षेत्र विकास योजना" की राशि का उपयोग

1808. श्री रामजीलाल: क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि सांसदों को "संसद सदस्य स्थानीय क्षेत्र विकास योजना" के अन्तर्गत मिलने वाली एक करोड़ की राशि में से कुछ भाग सांसदों का सेवाकाल समाप्त होने अथवा अन्य कुछ कारणों से बच जाता है, यदि है, तो उस राशि को स्थानीय जनता के कल्याण के लिए खर्च करने का प्रावधान क्या है;

(ख) क्या सरकार सेवानिवृत्ति सांसदों को उक्त राशि खर्च करने को अधिकार देने के लिए के लिए निर्देश जारी करेगी;

(ग) यदि हां, तो कब तक; और

(घ) यदि नहीं, तो इसके क्या कारण हैं?

योजना और कार्यक्रम कार्यान्वयन मंत्रालय में राज्य मंत्री (श्रीमती रत्नमाला देहरेश्वर सवनूर): (क)जी हां, सांसद स्थानीय क्षेत्र विकास योजना से संबंधित संशोधित मार्गदर्शी सिद्धांतों के पैरा 3.8 एवं 3.9 में पूर्ववर्ती सांसदों की बकाया अधिशेष राशि के उपयोग का प्रावधान है।

(ख) जी नहीं।;

(ग) प्रश्न ही नहीं उठता;

(घ) ये निधियां सांसद स्थानीय क्षेत्र विकास योजना के मार्गदर्शी सिद्धांतों के अनुसार वर्तमान सांसदों द्वारा की गई अनुशंसा के आधार पर निर्माण कार्य करवाने के लिए होती है।

Technical flaws in computing estimates of national income

1809. SHRI ASHOK MITRA: Will the PRIME MINISTER be pleased to state:

(a) whether Government's attention has been drawn to media reports suggesting technical flaws in the methodology adopted by the Central Statisticial Organisation for computing quick estimates of national income;

(b) whether it is proposed to set-up a Committee of Experts to go into the matter; and

(c) whether the CSO could be advised to present separately the estimates of national income growth, on the basis of growth in material production alone?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRIMATI RATNAMALA DEHARESHWAR SAVNOOR): (a) Yes, Sir. Media reports did comment on the revisions of GDP growth brougth out by CSO. However, no specific comment has been offered on the methodological aspects.

(b) No, Sir. There already exists an Advisory Committee on National Accounts, headed by an eminent Economist with official and non-official members which reviews the methodology of compilation of all macro aggregates on a continuous basis.

(c) The CSO follows the United Nations System of National Accounts (SNA) which is not based on material production alone. It would not be desirable to advise CSO to adopt material production basis since majority of countries follow SNA and others are in the process of switching over to the UN SNA.